IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1902 OF 2005

The Regional Director, E.S.I.C.
Mumbai ..Appellants

versus

Vasantdada Dughda Vyavasay Zilla
Sahakari Sangh Maryadit, Sangli ..Respondents

Mr. H. V. Mehta for the Appellants.
Mr. Abhay Nevagi with Mr. Sarang Khanzode i/b. Paras Kuhad & Associates for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 19TH OCTOBER,2005

ORAL ORDER :

1. Heard learned counsel for the Appellants and the Respondents.

2. The impugned order is an order of Employees State Insurance Court and Labour Court, Sangli, dated 4.3,2004. Grievance of the appellants is that even though the matter is remanded the findings of

the Insurance Court may affect the ultimate decision. In view of this, it is a matter where clarification is required, and as such following order is passed:

ORDER

. The impugned order to remain as it is. However, it is clarified regarding paragraph 3 of the impugned order that the Corporation will not be affected by findings and observations of the Employees State Insurance Court and they will not come in the way of the Corporation to decide the matter on merits.

. All the issues available to both the sides are kept open.

. Corporation to decide the matter within four months from the date of first appearance of the parties.

. Appeal disposed of with the above directions.

19.10.2005 (D.G. DESHPANDE, J.)